

Bedford Hills, New York  
August 21, 2012

The regular meeting for the month of August of the Town Board of the Town of Bedford was held on August 21, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:05 P.M. by Supervisor Roberts.

<b>Present:</b>	Lee V. A. Roberts	: Supervisor
	Peter Chryssos	: Councilman
	Francis T. Corcoran	: Councilman
	Chris Burdick	: Councilman
	David Gabrielson	: Councilman
	Lisbeth Fumagalli	Town Clerk
	Joel H. Sachs	: Town Attorney
	Kevin Winn	: Commissioner of Public Works
	William Hayes	: Chief of Police
	William Heidepriem	: Superintendent of Recreation and Parks
	Harry Girdlestone	: Sole Assessor
	Jeffrey Osterman	: Town Planner
	Amy Pectol	: Receiver of Taxes
	Steven Fraietta	: Building Inspector
	Edward Ritter	: Town Comptroller

And seven (7) residents/observers.

**MOMENT OF SILENCE – In memory of Judge Kevin J. Quaranta**

Mrs. Roberts offered a moment of silence in memory of Town Justice Kevin J. Quaranta who passed away at the end of July.

**APPROVAL OF CLAIMS**

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED, that the following claims for 2012 be allowed for payment from their respective funds,

	<b>2012</b>
Paid Prior to Audit	<b>\$</b> 51,660.26
General Fund	20,182.91
Highway Fund	26,642.71
Consolidated Water District	14,994.37
Cedar Downs Water District	2,134.09
Farms Water District	3,642.29
Energy	150.84
Special Districts:	
Bedford Village Memorial Park	2,629.45
Bedford Hills Memorial Park	1,957.89
Katonah Memorial Park	1,344.17
Bedford Hills Lighting District	75.00
Bedford Paramedic District #1	72,454.00
Capital Projects	<u>349,801.02</u>
	<b>\$</b> 547,669.00

**MONTHLY REPORTS**

Mrs. Roberts advised that the monthly departmental reports were available during normal business hours in the offices of the Supervisor and the Town Clerk.

**DEMONSTRATION – Proposed Parking Pay Stations by Integrated Technical Systems**

Joe Yorlano, a representative from this vendor gave the Town Board a presentation and overview of how this system works.

## **DEPARTMENTS**

### **1. Bedford Village Water Districts Source of Supply Investigation.**

On a motion by Mr. Burdick, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the joint proposal from Leggette, Brashears & Graham, Inc. (LBG), hydrogeology consultant and SB Church, a qualified well contractor, for the investigation of a source of supply for the Bedford Village Water Districts, with the total cost to be \$10,210 to \$14,860, with the portion from LBG to be between \$5,710 and \$6,810 and the portion from SB Church to be between \$4,500 and \$8,050, subject to the receipt of a Certificate of Insurance, naming the Town of Bedford as an additional insured from both vendors, as per the memorandum dated July 26, 2012 from Kevin Winn, Commissioner of Public Works.

### **2. Recommendation of low bidder for the Jay Street Sidewalk Improvement Project.**

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the contract for the Jay Street Sidewalk Improvement Project to the lowest, most responsible bidder, Acocella Contracting Inc., 68 Gaylor Road, Scarsdale, New York 10583, in the amount of \$349,937.50, subject to the receipt of bonds and insurance, for review and approval by the Town Attorney, and insurance carrier, as per the memorandum dated August 20, 2012 from James J. Hahn, P.E., Town Consulting Engineer.

### **3. Recommendation of low bidder to survey Beaver Dam Road Drainage Project.**

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the contract for the survey of the Beaver Dam Road Drainage Project to the lowest, most responsible bidder, Thomas C. Merritts Land Surveyors, P.C., 394 Bedford Road, Pleasantville, New York 10570, in the amount of \$6,200.00, to be paid for in part, from a grant received from the New York State Department of Environmental Conservation and from East of Hudson Corp. funds, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the memorandum dated August 16, 2012 from James J. Hahn, P.E., Town Consulting Engineer.

### **4. Approval to hire Maximus I for roof installation at 425 Cherry Street.**

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the contract for the installation of the roof at the Town House Annex at 425 Cherry Street, Bedford Hills, New York to the lowest, most responsible bidder, Maximus I Contracting Corp. of Astoria, New York, in the amount of \$276,748.90, as per the memorandum dated August 13, 2012 from Steven Fraietta, Building Inspector plus a \$29,000.00 contingency, funding to be appropriated from \$290,000.00 that has been bonded for this project and \$29,000.00 from fund balance reserve and subject to the receipt

of a Performance Bond and Certificate of Insurance naming the Town of Bedford as an additional insured.

5. Approval to hire consultant, Russel Watsky, Inc. for Bedford Village Court House roof repair plans.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the contract for consulting on the Bedford Village Court House roof to Russel Watsky Inc., 21 Hawkes Avenue, Ossining, New York, in the amount of \$5,400.00, with additional inspections if needed to be billed at \$400.00 each and additional services if requested, to be billed at \$100.00 per hour, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the memorandum dated August 13, 2012 from Steven Fraietta, Building Inspector.

6. Approval to award Town-wide electrical work to J. C. Beach Electric.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the contract for Town-wide electrical work to the lowest, most responsible bidder, J. C. Beach Electric, P.O. Box 511, Bedford Hills, New York, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the memorandum dated August 13, 2012 from Steven Fraietta, Building Inspector.

Hourly Rate:

<b>Licensed Electrician</b>	<b>JC Beach</b>
Business Hours	\$98.00
After Hours	\$147.00
Sunday/Holiday/Emergency	\$196.00

**Licensed Electrician Plus Helper**

Business Hours	\$153.00
After Hours	\$229.50
Sunday/Holiday/Emergency	\$306.00

Bucket Truck Hourly Rate w/Mechanic	\$205.00
Parts Mark Up	25-45%
Emergency Response Time	1-2 hrs.

7. Approval to award Town-wide plumbing work to Katonah Plumbing and Heating.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the contract for Town-wide plumbing work to the lowest, most responsible bidder, Katonah Plumbing and Heating, P.O. Box 466, Katonah, New York, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the memorandum dated August 13, 2012 from Steven Fraietta, Building Inspector.

Hourly Rate:

<b>Licensed Plumber</b>	<b>Katonah</b>
Business Hours	\$105
After Hours	\$157.50

Sunday/Holiday/Emergency	\$210.00
<b>Licensed Plumber Plus Helper</b>	
Business Hours	\$160.00
After Hours	\$240.00
Sunday/Holiday/Emergency	\$320.00
Parts Markup	15%
Emergency Response Time	1 hr.

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8. Acceptance of quote for leadership training program – Police Department.  
On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was  
ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby accept the quote for the leadership training program for the Town of Bedford Police Department supervisory and command staff, from James B. Isenberg, Ph.D., 6 Ogden Avenue, White Plains, New York, of the North American Family Institute, in the amount of \$6,000.00, to be paid for from donations approved to be used for training, plus training funds fiscal years 2012 and 2013, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the memorandum dated July 26, 2012 from William Hayes, Chief of Police.

9. Approve the TLC For-Hire Vehicles IMA between the Town and Westchester County.  
On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was  
ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the Intermunicipal Agreement (IMA) with Westchester County for shared fine revenue from the enforcement of the Westchester County For-Hire Vehicle Law, permitting the Town of Bedford to receive 25% of the total fines collected as a result of enforcement action by Town of Bedford Police Officers, for a one (1) year period.

10. Recommendation of low bidder for PVC Membrane Liner and Replacement Auto Skimmer Units Project.  
On a motion by Mr. Corcoran, seconded by Mr. Gabrielson, the following resolution was  
ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the contract for the PVC Membrane Liner and Replacement Auto Skimmer Units Project to the lowest, most responsible bidder, RenoSys Corporation, of Indianapolis, Indiana, in the amount of \$41,640.00 to perform the work on all three (3) wading pools, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the memorandum dated August 8, 2012 from Bill Heidepriem, Superintendent of Recreation and Parks.

11. Proposed Change Order #4 for RLJ Electric Corp for the Water Filtration Plant Project.  
On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was  
ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve and authorize the Supervisor to sign, Change Order #4 for RLJ Electric Corp. for the Town of Bedford Water Filtration Plant

Project in the amount of \$63,765.42, with an associated twelve (12) day time extension, as per the memorandum dated August 10, 2012 from Kevin Winn, Commissioner of Public Works.

12. Agreement with Dick Kornbluth (Energy Coach).

This matter has been tabled at this time for further review.

13. Set Public Hearing on September 4<sup>th</sup> for Local Law to Establish Sustainable Energy Loan Program.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was

**ADOPTED**

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby set a public hearing to consider a local law to establish a Sustainable Energy Loan Program for Tuesday, September 4, 2012 at 7:45 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

14. Approval of proposed Open Space Referendum language (draft – July 17, 2012).

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was

**ADOPTED**

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby adopt the following language for the proposed Open Space Referendum for the November ballot:

**OPEN SPACE REFERENDUM**

**TOWN OF BEDFORD OPEN SPACE, PARK AND WATER PROTECTION FUND**

**SHALL** the local law adopted by the Town Board of the Town of Bedford on July 17, 2012, to establish a special tax levy in the amount of 1% of the General Fund and Highway Fund for a period of five (5) years, which revenues will be placed in a separate reserve fund to be known as “Open Spaces and Areas, Park and Water Protection Debt Reserve Fund”, which fund will be used for payment of Town indebtedness issued to purchase, improve and preserve open space and wildlife habitat, to provide public access for hiking, biking and outdoor recreation to the lands that are purchased, and to protect drinking water sources and the quality of surface and ground waters of the Town, with an annual public audit of expenditures, be approved?

15. Approval to award bid for the Purchase and Installation of Parking Pay Stations to Integrated Technical Systems.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was

**ADOPTED**

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby award the bid for the purchase and installation of Parking Pay Stations in the Town of Bedford Commuter lots to Integrated Technical Systems, 8 Capital Drive, Wallingford, Connecticut, in the amount of \$107,025.00, with the funds for the purchase and installation of the pay stations, \$85,905.00, to be appropriated from the approved capital project fund and the maintenance is budgeted in the off street parking department of the General Fund, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the memorandum dated July 30, 2012 from Edward Ritter, Town Comptroller.

16. Approval of Bond Resolution toward the Open Space purchase of 20 acres in Twin Lakes Subdivision.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

**BOND RESOLUTION, DATED AUGUST 21, 2012, AUTHORIZING THE  
ISSUANCE OF UP TO \$200,000 AGGREGATE PRINCIPAL AMOUNT  
SERIAL BONDS OF THE TOWN OF BEDFORD, COUNTY OF  
WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL  
FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF  
LAND, IN AND FOR THE TOWN.**

**WHEREAS**, the Town Board of the Town of Bedford (the “Town”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Town to authorize the financing of the costs of the acquisition of land, in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$200,000, in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Bedford, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Town, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$200,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition of land (\$200,000) in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the “Project”).

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 21 of paragraph a of Section 11.00 of the Local Finance Law. The Project, together with any preliminary and incidental costs related thereto, at an estimated maximum cost of \$200,000 for which \$200,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of thirty (30) years. Such serial bonds shall have a maximum maturity of thirty (30) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

Section 3. The Town Board of the Town has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$200,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Town Board of the Town plans to finance the costs of the Project from the proceeds of the serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, as authorized herein; (d) the maturity of the serial bonds authorized herein will be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay any costs of the Project for which proceeds of any obligations authorized herein are to be applied to reimburse the Town, the Town Board of the Town took “official action” for federal income tax purposes to authorize the capital financing of such expenditure; and

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. The Town Supervisor is hereby authorized to execute on behalf of the Town all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Town Clerk is hereby authorized to impress the seal of the Town (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Town Supervisor.

Section 5. The faith and credit of the Town are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Town Clerk shall cause the same to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in the *Bedford Pound Ridge Record Review*, a newspaper having a general circulation in the Town. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Town is not authorized to expend money, or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Town Board shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Town Board will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Town Board that the Project will not have a significant effect on the environment.

Section 8. The Town hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Town covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Town, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Town made in connection with the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond resolution by the Town Board.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Town agrees, in accordance with, and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Town’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Town Supervisor is authorized and directed to sign and deliver, in the name and on behalf of the Town, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Town Clerk, which shall constitute the continuing disclosure agreement made by the Town for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Town and that are approved by the Town Supervisor on behalf of the Town, all of which shall be conclusively

evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Town's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Town would be required to incur to perform thereunder. The Town Supervisor is further authorized and directed to establish procedures in order to ensure compliance by the Town with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Town Supervisor shall consult with, as appropriate, the Town Attorney and bond counsel or other qualified independent special counsel to the Town and shall be entitled to rely upon any legal advice provided by the Town Attorney or such bond counsel or other qualified independent special counsel of the Town in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Town Board and the expiration of the period prescribed in the Town Law during which petitions for a permissive referendum may be submitted and filed with the Town Clerk.

17. Approval to award bid for Town Vehicle Service and Repair vendor to Reliable Auto and Truck.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the contract for Town Vehicle Service and Repair work to the lowest, most responsible bidder, Reliable Auto and Truck Repair, 21 Cary Place, Mount Kisco, New York, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the memorandum dated July 30, 2012 from Edward Ritter, Town Comptroller.

Reliable Auto and Truck

Hourly Rate: Gas - \$93.50 Diesel: \$101.50 Markup: 48.73%

**CORRESPONDENCE**

1. Request to use Lot 7 as overflow space for Chabad celebration Sunday, September 30<sup>th</sup>.

On a motion by Mr. Corcoran, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the request of Chabad of Bedford Hills to use Commuter Lot 7, on Railroad Avenue in Bedford Hills, as overflow space for parking for their celebration of the Sukkot on Sunday, September 30, 2012 from 11am to 2pm, said event requires no assistance from the Police and Department of Public Works, and subject to the receipt of a signed Hold Harmless agreement and Certificate of Insurance naming the Town of Bedford as an additional insured.

2. Approval of Colette Mooney's block party request at the Farms on September 8<sup>th</sup>.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the request of Colette Mooney to hold a block party on The Farms Road, with a closure of the road between numbers 50-63 on Saturday, September 8, 2012 from 3:00pm to 7:00pm, said event requires no assistance from the Police Department or Department of Public Works.

**PERSONNEL**

1. Appointment of Diane Lewis to the Open Space Acquisition Committee.



On a motion by Mrs. Roberts, seconded by Mr. Gabrielson, the following resolution was  
**ADOPTED**

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

**RESOLVED** that the Town Board does hereby appoint Diane Lewis to the Open Space Acquisition Committee for a four (4) year term, said term to expire December 31, 2015.

2. Amy Parsons request to be reappointed to the Historic Building Preservation Commission.

On a motion by Mr. Gabrielson, seconded by Mr. Chryssos, the following resolution was  
**ADOPTED**

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

**RESOLVED** that the Town Board does hereby reappoint Amy Parsons to the Historic Building Preservation Commission for a three (3) year term, said term to expire 08/10/2015.

### **NEW BUSINESS**

1. Discuss electronic Small Claims Assessment Review petition filed in Supreme Court. There was a brief discussion on this matter after which, the matter was tabled.

2. Discussion and vote on Home Heating Oil Program.

On a motion by Mr. Burdick, seconded by Mr. Gabrielson, the following resolution was  
**DENIED**

Ayes: Gabrielson, Burdick  
Nays: Roberts, Chryssos, Corcoran  
Absent: None

WHEREAS, the cost of home heating oil has risen substantially over the last few years;  
and

WHEREAS, the Town Board has significant concern for its residents with respect to the anticipated cost of home heating oil for the 2012-2013 heating season; and

WHEREAS, it is the desire of the Town Board to establish a home heating oil program that may assist Town residents with the cost of home heating oil, it being estimated that on average a household which participates in the program would achieve substantial savings over the winter heating season; and

WHEREAS, said home heating oil program may also benefit participating home heating oil companies by providing them advertising and access to Town residents interested in purchasing home heating oil;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby establish the Bedford Heating Oil Program (the "Program"); and

BE IT FURTHER RESOLVED, that the following shall apply to said program:

1. Participation in the Program is entirely voluntary.
2. The Program is open only to residents of the Town of Bedford (the "Town") who agree to the terms of the program, as purchasers, and is open to any fuel oil company which agrees to the terms of the Program, as suppliers.
3. Companies wishing to participate in the Program would agree to provide home heating oil to a participating Town resident at a price of approximately 40 cents over the wholesale cost and would guarantee that this is the lowest available price.
4. Participating companies would be asked to offer a participating Town resident, at a reasonable fee, a home energy audit or a NYSERDA sponsored energy audit if offered to its other customers, or in the alternative, referring the participating Town resident to *Energize Bedford*.

5. Any Town resident wishing to participate in the Program would need to contact a participating company directly and would agree to a minimum delivery requirement of 150 gallons per delivery.
6. Calls for oil delivery and all arrangements for payment would be between the Town resident and the participating oil company. Participating companies would agree to make oil deliveries within 24 hours of any call.
7. The role of the Town will be limited to providing a Memorandum of Understanding with Terms and Conditions to companies wishing to participate in the Program, compiling terms and general aspects of the Program (including a listing of the companies and information supplied by them) and disseminating Program information to Town residents (including through postings on the Town's website and email announcements and notices).
8. A page will be created on the Town's website which will provide general information about the Program; list oil companies participating in the Program, contact information, website, and certain other information the companies supply; and from time to time, update the barge cost or terminal cost of the oil (the Town does not guarantee price accuracy nor prices charged by the participating oil company).

BE IT RESOLVED, the Town Supervisor is hereby authorized to execute a Memorandum of Understanding with each fuel oil company which agrees to participate in the Program.

BE IT FURTHER RESOLVED, that the Town Supervisor's office is hereby authorized to administer the Program, including establishment and maintenance of an informational page on the Town's website.

BE IT FURTHER RESOLVED, that all officials and representatives of the Town be and hereby are authorized to assist in the establishment and fostering the goals of this program; and

BE IT FURTHER RESOLVED, that the official start date of this Program be on or about September 1, 2012 or at such other date as announced by the Town Supervisor.

3. Set Work Sessions.

The Town Board set work sessions on the 2013 Budget for Thursday, September 20, and Thursday, September 27 at 7:30pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

4. Executive Session – Personnel.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board shall discuss matters of personnel in an executive session to be conducted at the conclusion of the regular meeting.

There being no further discussion the meeting was adjourned at 9:50pm.

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Lisbeth Fumagalli, Town Clerk

Minutes of Executive Session -Town Board of the Town of Bedford - August 21, 2012

On August 21, 2012 at approximately 10:10 p.m., the Town Board unanimously voted to go into Executive Session concerning personnel matters.

Present at the Executive Session was Supervisor Roberts and Town Board members Chryssos, Corcoran, Burdick and Gabrielson as well as Town Attorney Joel Sachs.

Joel Sachs was unanimously appointed Deputy Town Clerk for the purpose of the meeting.

August 21, 2012- Regular meeting - continued

There followed a discussion about the forthcoming election for the Town Justice position that was vacant due to the death of Justice Quaranta.

There then followed a discussion about certain personnel in the Town Police Department. No decisions were made and no votes were taken.

The Executive Session was adjourned at approximately 11:00 p.m.

Respectfully submitted,

Joel H. Sachs  
Acting Deputy Town Clerk